

# Oneida Nation

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Oneida, WI 54155

## BC Resolution # 08-13-25-B

### Approving Settlement of FY2017 and FY2018 Contract Support Cost Claims Against IHS

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Nation submitted contract claims to the Indian Health Service (“IHS”), United States Department of Health and Human Services (“HHS”), alleging that IHS breached the Nation’s compact and funding agreements in fiscal years 2017 and 2018 by failing to pay “contract support costs” as required by the compact, funding agreements, and the Indian Self-Determination and Education Assistance Act, codified at 25 U.S.C. §§ 5301 *et seq.* (“claims”); and
- WHEREAS,** IHS denied the Nation’s contract claims, and the Nation filed appeals regarding its claims to the Civilian Board of Contract Appeals (“CBCA”), Nos. 8180-ISDA and 8525-ISDA, respectively; and
- WHEREAS,** the Nation and IHS have reached agreement on settlement of the Nation’s claims; and
- WHEREAS,** IHS (by way of the United States Judgment Fund (“Judgment Fund”)) has agreed to pay to the Nation a one-time, lump sum payment of five million, one hundred eighty-five thousand, four hundred thirty-three Dollars (\$5,185,433) (the “Payment”), plus interest on the Payment, as authorized by the Contract Disputes Act, 41 U.S.C. § 7109, for the period starting September 25, 2023, through the date of payment by the Judgment Fund; and
- WHEREAS,** the Nation and IHS have agreed to release each other from any and all claims, legal and equitable, arising from or related to any payment, overpayment, nonpayment, or underpayment of contract support costs by HHS or IHS in fiscal years 2017 and 2018; and
- WHEREAS,** the Nation and IHS have agreed to file a Joint Stipulation of Dismissal with Prejudice with the CBCA regarding the Nation’s claims for fiscal years 2017 and 2018, and

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee approves settlement of the Nation’s claims for fiscal years 2017 and 2018 in accordance with the terms outlined above, and

**BE IT FUTHER RESOLVED**, legal counsel representing the Nation before the CBCA is hereby authorized to approve the final form of the settlement agreement and to execute the settlement agreement, and to approve the final form of, execute, and file such other documents as may be necessary to effectuate the settlement agreement.

#### CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 13<sup>th</sup> day of August, 2025; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
\_\_\_\_\_  
Lisa Liggins, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."